

UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF OHIO

AT CINCINNATI

In re: Raenesha Ramone Storey

Case No. 16-13541

In re: Phillip Cary Brantley

Case No. 16-12458

In re: Gwendolyn Bibbs

Case No. 16-13552

In re: Celeste M. Simmons

Case No. 16-13810

APPEARANCES

Monica Kindt, Esq. on behalf of the United States  
Trustee:

Frank DiCesare, Esq. on behalf of the Chapter 13  
Trustee:

Michael Mann, Esq., Chair at Cincinnati Bar  
Association, Unauthorized Law Practice Division.

Jeffrey Pfirrman, Esq. on behalf of Creditors:

Leon Hewitt, Esq. on behalf of Ms. Raenesha Storey:

BE IT REMEMBERED the above-entitled

hearing came on to be heard on the 1st day of

December, 2016 before the Honorable Jeffery Hoffman

Judge.

1

I N D E X

2 WITNESS

3 Rashile Netter-Storey

4 Direct by Mr. Hewitt: 9

5            Cross by Mr. DiCesare:            19

6                  Cross by Ms. Kindt:                  23

7            Cross by Mr. Mann:            29

8                  By the Court:                  32

9 Raenesha Storey

10 Direct by Mr. Hewitt: 40

11            Cross by Ms. Kindt:            46

12            Cross by Mr. DiCesare:        50

14

15

16

E X H I B I T S

17

ADMITTED

18 Debtor's Exhibit A

62

19

20

21

22

23

24

25

5 Case number 16-12458, Philip Brantley,  
6 case number 16-13541, Raenesha Ramone Storey, case  
7 number 16-13552, Gwendolyn Bibbs, case number 16-  
8 13810, Celeste Simmons show cause hearing.

23                   We can't report any changes other than Mr.  
24       Hewitt is working with Ms. Storey. And what we have  
25       done though, Your Honor, since we talked about this

1 generally at Ms. Storey's last hearing, is we did  
2 listen to the tapes, I'm sorry, the 341 tapes for  
3 the Brantley case, the one case that Mr. Buckner's  
4 name appears on specifically.

5 THE COURT: Um-hum.

6 MR. DICESARE: And as we noted in passing  
7 he did attend the 341 meeting. The trustee's report  
8 does note that he was in the room. At the  
9 examination the trustee always on a pro se asks the  
10 debtor what led them to do this, how did they do it,  
11 what resources did they utilize. Mr. Bucker was  
12 identified only as a friend. And Mr. Brantley  
13 specifically stated that he had prepared the  
14 petition and schedules himself using Rocket Lawyer,  
15 an online service. And I checked, there is such an  
16 online service. So Mr. Brantley was present but  
17 nobody admitted to any direct participation. And  
18 unlike Ms. Storey's situation nobody has ever said  
19 in any of the other cases we've heard that Mr.  
20 Buckner received compensation. But again we believe  
21 the Court's right to raise this question, especially  
22 in light of what Ms. Storey has represented in her  
23 last case or last hearing on her case.

24 THE COURT: Okay, thank you, Mr. DiCesare.  
25 I'm just going to call names in order then and we'll

1 just hear what information you can share with the  
2 Court. And let's hope that the United States  
3 Trustees' Program will begin its investigation.

4 So why don't we begin with you, Ms. Kindt,  
5 is there anything to report thus far from your end?  
6 And while you're approaching the bench, the Court  
7 does have notice that Mr. Buckner appears to have  
8 had a hand in some other cases that have been  
9 recently filed with the Court since this show cause  
10 order was issued. Mr. Buckner, as you all probably  
11 know did file with the Court a motion seeking a  
12 continuance of 60 days in order to prepare. I  
13 denied that motion yesterday and was expecting that  
14 Mr. Buckner would appear.

15 What do we have, Ms. Kindt? Has your  
16 office been able to undertake any investigation thus  
17 far?

18 THE COURT: Good afternoon, Your Honor.  
19 Monica Kindt here on behalf of Daniel McDermott,  
20 United States Trustee for Region 9. I appreciate  
21 the opportunity to be here today. We have reviewed  
22 the petitions that are in question in the show cause  
23 hearing and we've been in conversation with the  
24 Chapter 13 Trustee and their staff attorneys. And  
25 we've done a bit of background investigation.

1       Truthfully we were waiting to see if Mr. Buckner  
2       appeared today to see if we obtained more  
3       information. And we will proceed in the manner that  
4       we normally do in these cases. Again, I appreciate  
5       Your Honor alerting us to this because I think the  
6       Chapter 13 Trustee and my office were both in the  
7       same boat. You know, on the face of the...which is  
8       obviously the problem, on the face of the petition  
9       there's no information and Mr. Dicesare has  
10      identified an issue that's prevalent with our pro se  
11      filers is that there's unwillingness sometimes to  
12      discuss any assistance that they've received. So  
13      we, we will be proceeding to determine, you know,  
14      first off, whether any compensation was received and  
15      if any legal advice was provided.

16           And, Your Honor, I, I know that the order  
17      directed me to file a report within 30 days but if  
18      we proceed with a 110 motion I assume that that  
19      would be equivalent?

20           THE COURT: Absolutely.

21           MS. KINTD: Okay.

22           THE COURT: I was just at a loss as to what  
23      to ask for.

24           MS. KINTD: No, I understand.

25           THE COURT: I wanted to alert your office

1 because I suspected that you and others were not  
2 aware that Mr. Buckner was engaged in these  
3 activities. It was brought to this Court's  
4 attention frankly by the clerk's office staff. Mr.  
5 Buckner is apparently a frequent visitor to the  
6 clerk's office. He has appeared and he pays the  
7 filing fee of some of the debtors whose cases he's  
8 apparently had a hand in which in itself is a  
9 violation of § 110. So it's apparent to me that's  
10 he's engaged in activity that is...falls under the  
11 statute, covered by the statute that needs to be  
12 addressed and perhaps a cease and desist issued and  
13 an injunction had. It seems that his activity goes  
14 beyond the scope of § 110. He may be even creeping  
15 over into the unauthorized practice of law which  
16 gave this Court quite a lot of concern. So I  
17 appreciate if it you can, I'll vacate that portion  
18 of the order but I would appreciate if you and your  
19 office after you've had a thorough opportunity to  
20 investigate, will make a decision with regard to  
21 filing what's necessary under § 110 to prevent Mr.  
22 Buckner's continued activity.

23 MS. KINDT: Of course, Your Honor. Thank  
24 you for including us, appreciate it.

25 THE COURT: Thank you. Okay, Mr. Hewitt,

1       you're here and I appreciate you and your client  
2       coming, if you'll step forward I would appreciate  
3       hearing from Ms. Storey again. What I would like to  
4       do is put Ms. Storey under oath so that we can  
5       hopefully exact from her some of the facts  
6       associated with her case and she can advise the  
7       Court of Mr. Buckner's involvement.

8                    MR. HEWITT: Thank you, Your Honor. And  
9       if it's okay with the Court I would also like to get  
10      testimony from Ms. Storey's mother.

11                  THE COURT: Okay.

12                  MR. HEWITT: Because she, I guess she's  
13       the one who had made initial contact in this  
14       situation.

15                  THE COURT: Okay.

16                  MR. HEWITT: So maybe if I could put her  
17       on first.

18                  THE COURT: Very good.

19                  MR. HEWITT: She may provide....

20                  THE COURT: You can have a seat.

21                  MR. HEWITT: ...greater background  
22       information. Would she need to take the stand or?

23                  THE COURT: Yes, it would be helpful.

24                  MR. HEWITT: Okay.

25                  THE COURT: Ms. Storey, if you'll step

1 forward? Is it also Ms. Storey?

2 MS. STOREY: Yes.

3 THE COURT: Okay, will you step forward  
4 and be sworn?

5 COURTROOM DEPUTY: Right here. Would you  
6 please raise your right hand?

7 (Witness duly sworn)

8 COURTROOM DEPUTY: Would you please have a  
9 seat, speak into the microphone, state and spell  
10 your name for the record.

11 THE WITNESS: Okay. Oh, okay. My name is  
12 Rashile Netter-Storey.

13 DIRECT EXAMINATION

14 BY MR. HEWITT:

15 Q Okay and what is your address, ma'am?

16 A It's 786 Maidstone Court, Cincinnati,  
17 Ohio, 45230.

18 Q Okay.

19 THE COURT: Would you spell your name just  
20 so we'll have it for the record?

21 THE WITNESS: Yes. It's R-a-s-h-i-l-e,  
22 hyphen, N-e-e-t-t-e-r. I'm sorry. S-t-o-o-r-e-y.

23 THE COURT: Thank you.

24 Q Thank you. Ms. Storey, Mrs. Storey, first  
25 and foremost, do you know Mr. Lorin Buckner?

1           A     I know him by communicating with him. My  
2     first communication with him was on October the 9th,  
3     2015.

4           Q     And how were you first...how did that  
5     first communication take place?

6           A     He actually sent a letter in the mail.  
7     Had my daughter's name on it. And we were like  
8     beside ourselves going on with our house, we had  
9     tried to do a modification. And when I called him he  
10    said, "Oh, no problem, no problem. I've got this  
11    all handled for you. I understand." He says, "I  
12    have a solution for you all." And I said, "Really?"  
13    And he said he was in Indianapolis talking with his  
14    mother-in-law trying to transfer her back here. But  
15    he said as soon as he got back in town he would  
16    contact me. And he told me to email him some items  
17    like for the house and that kind of a thing. I have  
18    several emails from him that I sent to him,  
19    different documents about the house. And mind you,  
20    my daughter was like working and everything and I'm  
21    trying to take care of stuff of, you know, just to  
22    save the home. And he was saying, oh yeah, he has a  
23    solution. So when we did meet was October 12th at  
24    Panera Bread in Anderson Township. And my daughter  
25    and I was present there. And he said he understood

1       the stress and everything we were going through.  
2       And I was telling him I was walking the floors at  
3       night. He said he knew all that. He said he had  
4       been through all that with the court system with his  
5       own home and he said he had a solution for us. And  
6       he said the first thing we need to do, the first  
7       foremost thing we needed to do he said was to do, to  
8       file bankruptcy. He said because that gives him  
9       more time to be able to do what he needs to do  
10      because he had a connection somewhere in Chicago  
11      with certain people. So that's what we did. We met  
12      with him downtown and he said we had to have \$310  
13      cash money and then we had to have extra money for  
14      him doing it. So we gave him like \$300 extra  
15      besides the \$310. This was back in October of 2015.  
16      That was the first time.

17           Q     So just, just so we're clear, the first  
18       time you gave money to Mr. Buckner, that was \$310?

19           A     Plus another \$300 for him filing. He said  
20       he had to have money to be compensated for doing all  
21       the paperwork.

22           Q     Okay, so he charged for the filing fee and  
23       also charged to do the filing?

24           A     Yes

25           Q     Okay, all right and then what happened

1 after that?

2 A Then after that we were waiting for him to  
3 give us more information. Then he told me that,  
4 okay, we're not going to be able to get all this  
5 information and stuff done, all this stuff that he  
6 had to do, checking with all these different banks,  
7 the LaSalle Bank and all this stuff. He said,  
8 "We're going to have to file again." And then he  
9 said, "Not only do you have to file again, my fees  
10 in order to do all this, I have to have a fee." I  
11 said, "Well, wait a second, I just gave you the  
12 \$300." He said, "Yeah, but I have to have a fee  
13 also besides that fee, he said of \$3,500." And so I  
14 said, "Okay." So the next time we filed we gave him  
15 extra money to file and his nephew was there.

16 Joel...

17 Q Do you recall when that was, the following  
18 time, the next time, do you recall when that was?

19 A That was, I'm pretty sure it was like  
20 either February, it was either January or February.

21 Q Okay, of this year?

22 A Of no...yes, yes, of this year. And that  
23 particular time I came downtown and I had my  
24 daughter with me to this building. I was sitting  
25 outside. And I gave her \$1,200 or 12 \$100 bills.

1       Because this guy named Joe said he had to have that.

2           Q     Who is Joe?

3           A     Joe is the nephew of Lorin Buckner.

4           Q     Do you know his last name?

5           A     Harvey.

6           Q     Joe Harvey?

7           A     Yes, we have an email from him as well.

8           Q     Okay and speaking of which, you did  
9 mention emails by the way previously, were you able  
10 to go back and collect all the emails?

11          A     Yes.

12          Q     In communication with him?

13          A     Yes, with Mr. Buckner, yes. I was, I  
14 printed some of them out.

15          Q     Okay, could we...

16          A     Mainly...

17          Q     Just one second. So these are some of the  
18 emails?

19          A     Yeah, I think there's like two or three I  
20 didn't print out. They were just...

21          Q     There was...like it's not like all of  
22 them, there was more?

23          A     Like two or three of them. They were just  
24 documentation of our house. He was asking different  
25 questions about things that the people that were

1        sending us from Select Portfolio. And other  
2        questions he was asking prior before that was Chase  
3        and EMC Mortgage. It's all in Chase but these were  
4        different servers and he was asking me questions  
5        about that.

6           Q     Okay, but back in January or February of  
7        this year you said you gave him how much in cash?

8           A     I gave my daughter 12 \$100 bills, I  
9        watched her walk into this building and hand it to  
10      that guy.

11          Q     Okay.

12          A     Named Joel Harvey.

13          Q     Okay.

14          A     I was parked right in front.

15          Q     Okay and then what happened after that?

16          A     Then he went and filed another bankruptcy.

17          Q     Okay.

18          A     Additional to the \$1,200 we had \$310  
19        separate from the \$1,200.

20          Q     Okay.

21          A     And then in February Mr. Buckner was  
22        telling me, he said, "Oh, we need this money. We  
23        really need this money to move forward to save your  
24        house." He said, "Then you won't have to worry  
25        about any more bankruptcies." He said, "You've just

1       got to get this money." And I said, "Well, I gave  
2       your nephew \$1,200." He said, "Well, that's part of  
3       it, we'll need the rest." So I met with him at  
4       Panera Bread in Hyde Park.

5           Q     When?

6           A     It was in February.

7           Q     Okay.

8           A     And I gave him \$2,500 cash because he said  
9       that he couldn't use a check, he had to have cash.

10          Q     Okay.

11          A     In order to do these procedures.

12          Q     Okay.

13          A     And so after that I remember us meeting  
14       him again downtown to do another bankruptcy. And he  
15       told my daughter when they got into the lobby that  
16       she would have to go up because the Courts didn't  
17       want him coming up or anyone else coming up with  
18       her, that she would have to file it by herself this  
19       particular time.

20          Q     Okay.

21          A     And then this last time we met with his  
22       nephew downtown.

23          Q     When you say last time, when was that?

24          A     Well, this was back in, just recently, I  
25       think this was back in October. It was back in

1       October we met with him.

2           Q     October?

3           A     Of this year.

4           Q     Okay.

5           A     And to do another bankruptcy and he told  
6 me daughter when she gave him the money, she gave  
7 him \$310 plus another additional \$200 for his  
8 services and he told her he wasn't going to do it  
9 right then and there, he was going to come back  
10 because he had to get back to work. And so she was  
11 saying, "Well, how are we going to know that it was  
12 done." Because every time she had done this they  
13 gave her a piece of paper to let her know the thing  
14 was filed so it would stop the sheriff's sale.

15 Well, we never heard anything else back from him.

16 So that's when I called Lorin and I said, "Hey,  
17 look, we gave this money to your nephew." And he  
18 said, "What do you mean? You just gave him a couple  
19 of hundred dollars." I said, "What are you talking  
20 about? What do you mean a couple of hundred  
21 dollars?" I said, "I've give you \$2,500 and I give  
22 him \$1,200." "Oh, yeah, yeah, that's right, that's  
23 right." Don't worry about it, I'll take care of it."  
24 So it wasn't until later, I think it was either that  
25 night or the next evening that he even gave us

1 confirmation that it was even done. And then to our  
2 surprise when we came to court the last time they're  
3 saying it wasn't even paid after we gave this man  
4 cash money to do it.

5 Q And that's when you were in court last  
6 week when you found out?

7 A Yes, yes. Very shocked that he never paid  
8 it.

9 Q Okay and...

10 A I also want to say that was the first time  
11 my daughter wasn't involved coming up to do it  
12 her...like with the person. That was the only time  
13 that she didn't do it. That was the only time that  
14 we didn't get a receipt for it.

15 Q I see. Okay and the documents I'm holding  
16 can you describe these documents for the Court, what  
17 they are?

18 A Yes. This document here is an email. I  
19 asked them to send so we could have notification of  
20 the fact that the bankruptcy was filed and he did do  
21 that. Joel sent that email to my daughter's email  
22 address and she sent it to me and I printed it out.

23 Q This is Joel Harvey, his nephew?

24 A This is Joel Harvey and this is what he  
25 sent us.

1 Q Okay.

2 A And also on the email itself he tells us  
3 that, "This is a notice of your bankruptcy filing.  
4 I am sending you a copy so that you can forward the  
5 copy to the attorney handling your case. This email  
6 address is [JRC@MKD/l1c.com](mailto:JRC@MKD/l1c.com). This is just a backup  
7 to fax over a copy. I want to make sure that all of  
8 our bases are covered." And so I called Lorin. I  
9 said, "What attorney? You never talked about  
10 attorneys." He said, "Don't worry about that, it's  
11 just a formality."

12 Q Okay, anything else need to add or would  
13 that be about...

14 A Yes. I mean most of these emails from me  
15 to Lorin are back, is just stuff he asked us to send  
16 over for Select Portfolio or different things he was  
17 asking. The one time he asked me to send him the  
18 information when the loan first started. I told  
19 him that EMC Mortgage in Ocwen was taking over the  
20 loan. In one of these emails also it says house  
21 money. That's the day, February the 8th, I met with  
22 him and gave him that \$2,500.

23 Q I see, okay. Thank you, ma'am.

24 A You're very welcome.

25 MR. HEWITT: Oh, I'm sorry, were there any

1       questions from the Court?

2                     THE COURT: Yeah, just a moment, Ms.  
3       Storey. I'm going to open the floor. Mr.  
4       DiCesare...

5                     MR. DICESARE: Yes, Your Honor.

6                     THE COURT: ...or, Ms. Kindt, do you have  
7       any questions and...

8                     MS. KINDT: I have...

9                     THE COURT: ...counsel, Mr. Mann, if you  
10      have any or Mr. Pfirrman, if you have any as well.

11                    CROSS EXAMINATION

12      BY MR. DICESARE:

13             Q     Ms. Storey, I'm sorry, Ms. Netter-Storey,  
14      sorry. I'm Frank DiCesare, I'm the attorney for the  
15      trustee. I just wanted to check, you knew some of  
16      the specific dates and I wasn't writing down fast  
17      enough. You mentioned that when you went to the  
18      Panera Bread, you mentioned, I think you mentioned  
19      actually a day of the month, do you remember when  
20      that meeting was?

21             A     Yeah, the first meeting we had with him  
22      was October the 12th, 2015.

23             Q     Okay.

24             A     My first conversation was October the 9th  
25      on the telephone.

1 Q First telephone October 9th?

2 A Yes.

3 Q First meeting at Panera in Anderson?

4 A Yes.

5 Q Okay, is there way you remember that or is  
6 it reviewing your notes recently?

7 A Well, I remember that because my husband  
8 has a recorded conversation.

9 Q Okay.

10 A I know that we couldn't use it in Court  
11 because...well, wait a minute, my husband did say  
12 that, he did tell Lorin that he was going to record  
13 it because...

14 Q The telephone calls?

15 A Yes.

16 Q Okay.

17 A No, the phone call, he reported...he  
18 recorded the conversation we had at Panera Bread.

19 Q Okay.

20 A Because my husband said it was a lot of  
21 information. He said, "Do you mind if I record  
22 this?" And he said, "Yes, it's fine." And on there  
23 he's telling us to bring the money to him to file  
24 the bankruptcy.

25 Q Okay and you mentioned when you're out in

1 Hyde Park or Anderson you're meeting at Panera or  
2 other public places, a couple of times you referred  
3 to meeting in a building downtown, do you recall  
4 what that building was?

5 A The building is this building.

6 Q This building?

7 A Yes.

8 Q Oh.

9 A My daughter, I gave her cash to come into  
10 this building. I was sitting out front because, you  
11 know, those meters....

12 Q Um-hum.

13 A ...you don't know how long you're going to  
14 be there. So but I saw her walk in, it's a great  
15 big glass window and I saw her hand him the money I  
16 had just handed her.

17 Q Okay, so we'll probably ask some questions  
18 of your daughter about that but your point is other  
19 than meeting at the public restaurants out in the  
20 suburbs when you came out down here to file, those  
21 first two times that you recall your daughter  
22 brought, I'm sorry, your daughter met Mr. Buckner in  
23 this building to go ahead and go through the filing,  
24 is that right?

25 A Yes, she did it the first time. The other

1 time she met with his nephew, Joel Harvey.

2 Q Okay, is that Joe or Joel?

3 A Joel.

4 Q Joel, Joel.

5 A J-o-e-l.

6 Q Okay and you said that would be the first  
7 time and the second time but the third time you said  
8 something different happened?

9 A The first time we met with Lorin.

10 Q Okay.

11 A Okay, the second time it was, as a matter  
12 of fact Lorin also came back down to do a dismissal  
13 of the bankruptcy. We met him down here for that.

14 Q This building again?

15 A Yes, it was always this building other  
16 than Panera Bread. And then the next time to file  
17 another bankruptcy it was his nephew we met with.

18 Q Okay.

19 A The other times it was always his nephew.

20 Q The reason I'm asking that, you don't know  
21 of any business location that he or his nephew  
22 maintain do you?

23 A Well, actually my daughter left here one  
24 day and walked down the street. He said he worked at  
25 an office and she walked down the street and made a

1 left.

2 Q Okay.

3 A I don't know the address or...

4 Q Well, we'll ask her if she can remember  
5 that. But I appreciate it. Thank you very much.

6 A Yeah.

7 MR. DICESARE: Thank you, Your Honor.

8 THE COURT: Ms. Kindt, any questions at  
9 this point?

10 MS. KINTD: Actually I think Mr. DiCesare  
11 answered most of my questions. I was just going to  
12 follow up on the last business question. It will  
13 only take one second, Your Honor.

14 THE COURT: Very good, take your time.

15 CROSS EXAMINATION

16 BY MS. KINTD:

17 Q Ms. Storey, I'm Monica Kindt, I'm the  
18 Assistant United States Trustee for Cincinnati.  
19 Thank you very much for coming today and answering  
20 these questions. It's very helpful for us. As I  
21 said Mr. DiCesare has asked all the questions I  
22 wanted to ask you. Except I was wondering if  
23 throughout the emails there were any, there was any  
24 mention of Encore Renew, of a business by that name?

25 A Encore Renew? Encore Renew?

1 Q Or any business name affiliated?

2 A Yeah, he said something about in Chicago  
3 there was some kind of company. And he said  
4 something about, but he called me Friday of last  
5 week.

6 Q Okay.

7 A And he called me five times. I didn't  
8 answer the phone. And the last time I answered the  
9 phone because I had Raenesha call Mr. Hewitt and ask  
10 if it was okay for us to talk to him because we had  
11 just been in court that week. And he said it was  
12 okay for us to talk but to, you know, write down the  
13 information. And what he was asking me, he says,  
14 "Well, now" he said "You heard anything new?" I  
15 said, "What are you talking about?" And I played  
16 just as dumb but to hear what he had to say." He  
17 said, "Well" he said, "I'm in Chicago visiting my  
18 mom." He said, "I wanted to know if there is  
19 anything new." I said, "Well, Lorin, I've been  
20 trying to reach you because I told you about the  
21 letter we got and they said they were going to bar  
22 us from doing Chapter 13, now we're in the process  
23 of losing our home again and you said you had the  
24 answers to all this, you were going to take care of  
25 it. You said the \$2,500 would be it. The money I

1       gave your nephew, \$1,200, you said it would be all  
2       taken care of." He said, "Are you still in the  
3       house?" I said, "Yes." He said, "Well, I guess we  
4       took care of it." I said, "No, we haven't taken  
5       care of anything. You were supposed to take care of  
6       it." And he was, "Well, oh....well, we don't need to  
7       talk on the phone anymore, we need to meet." He  
8       said...I said, "Well, if you're in Chicago how are  
9       we going to meet?" He says, "Well, I'm coming, do  
10      you want me to come back tomorrow?" I said, "Well,  
11      what are you saying?" I said, "When are you  
12      supposed to come back?" He said, "Monday. Good,  
13      Monday we'll do it. We'll come back on Monday."  
14      Monday I did not get a phone call from him, I got a  
15      text message and he told me to contact, he gave me a  
16      phone number and a company to contact. I never  
17      called those people but I do have the phone number  
18      and I do have a company name that he texted me.

19           Q     Do you remember the name of the company?

20           A     Something like PT. I don't know, it's in  
21      my phone. The gentleman took my phone. But he told  
22      me this was plan B.

23           Q     Um-hum. You testified earlier that he was  
24      going to help you keep the house...

25           A     Yes.

1 Q And that this was something that...

2 A I went...I explained everything to him.

3 Q Okay.

4 A We were in a hardship because my daughter  
5 had an accident on 471. Her car flipped four times  
6 on the highway. And I just talked to her five  
7 minutes previously. And her car flipped four times  
8 on the highway. And I was on my way to a meeting  
9 for work and this was back in 2000 and...I believe  
10 it was 2011.

11 Q All right.

12 A 2010. Well, there's so, there's so much  
13 going on in our family I can't believe it. But it,  
14 it was just unbelievable. And I was telling him, I  
15 said, "I had to bathe my daughter like she was a  
16 baby again for like three months." She couldn't,  
17 she didn't have, she couldn't use her arm. Her arm  
18 actually dragged on the pavement.

19 Q Oh, my gosh.

20 A The glass was all broken. When I went to  
21 go see her, her car was still going through the  
22 front windshield. And the man told me, he said,  
23 "Someone just died a week ago." They had the same  
24 kind of accident. A truck hit her and kept going.  
25 Just left her for dead. And I told him what we were

1       going through, the struggle we were going through  
2       and the hardship. And this man just took our money  
3       and just did away. I don't know what but it's  
4       horrible that people can...

5           Q     I understand.

6           A     ...just do this stuff to people. And he  
7       had several clients. He was helping several people.  
8       He gave us some lady named Mary Ann in Clermont  
9       County. And he said, "I helped her." And he was  
10      talking about all these other people that he had  
11      helped. And I thought, my God, if he can help them  
12      maybe he can help us.

13          Q     I understand. And I think that's why  
14      we're trying to get a little bit more information to  
15      understand if there are other people who have been  
16      victimized in the same situation that you are and it  
17      sounds like there are.

18          A     He told me he was helping people here in  
19      Ohio. He was helping people in Chicago. That's why  
20      he was making all these different trips. But I just  
21      told him, he said, "I know what to do. I can handle  
22      this for you, it's no problem." And here we're  
23      still going through the same torment and craziness  
24      and nothing has been done. But I think we've found  
25      someone else that can help us that we actually

1       looked up and made sure with the Better Business  
2       Bureau and we're in process with them now. But I  
3       told him we're trying to get modifications.

4           Q     Um-hum.

5           A     And he said, "Don't worry about it, I'll  
6       take care of it." And he just saying that he needed  
7       more time and he was working on this. He was  
8       talking about somebody that he had, oh God, it was  
9       somebody he said in Chicago that knew all about  
10      cases like this and...

11          Q     He had the name of someone in Chicago?

12          A     He said that it was a company that he knew  
13       in Chicago and that they handle these kinds of  
14       things. And they're the ones that handle mortgages.  
15       And he just saying, Chicago this and Chicago that.

16          Q     Okay, thank you, that's, that's very  
17       helpful. I just have one more question and again I  
18       think like Mr. DiCesare I was writing furiously as  
19       you were speaking so I just wanted to clarify. The  
20      \$2,500 in cash that you paid at the Hyde Park  
21      Panera.

22          A     Yes.

23          Q     That was in October of 2016 or, I'm sorry,  
24       September of 2016?

25          A     It was at...the \$2,500 was in February.

1 Q Okay.

2 A I actually have an email here where I say  
3 house money and I met him that day and gave him  
4 \$2,500. Because we had already given \$1,200 to his  
5 nephew Joel.

6 Q Also in February of 2016? I may have  
7 written down the dates wrong, I apologize.

8 A I believe Joel was back in November of  
9 2015.

10 Q Okay.

11 A That we gave him \$1,200.

12 Q So the \$1,200 was November 2015 and then  
13 the \$2,500 in cash in Hyde Park Panera was February  
14 of 2016?

15 A That is correct.

16 Q Thank you very much for clarifying that.

17 MS. KINDT: I have no further questions,  
18 Your Honor.

19 THE COURT: Okay, Mr. Mann, did you have  
20 anything you wanted to inquire?

21 MR. MANN: Yes, Your Honor, thank you.  
22 Thank you to the Court.

23 CROSS EXAMINATION

24 BY MR. MANN:

25 Q And, ma'am, my name is Michael Mann. I'm

1       an attorney in Cincinnati. I'm also the chair of the  
2       Cincinnati Bar Association's Unauthorized Practice  
3       of Law Committee and definitely appreciate you being  
4       here. My main question is you've talked about I  
5       think three or four different bankruptcy petitions  
6       that were filed. And I just, I was wondering who  
7       actually prepared those documents to be filed?

8           A     He said, Mr. Buckner told me no problem,  
9       that his nephew Joel had all that, he and Joel did  
10      that. He told me that he would take care of  
11      everything.

12          Q     Okay, so they were the ones who actually  
13      completed all the...all the paperwork that was filed  
14      with the bankruptcy court?

15          A     That's correct.

16          Q     Okay, thank you. That's all, thank you.

17           THE COURT: Thank you, Mr. Mann. Is there  
18      anyone else? Mr. Pfirrman, did you want to inquire  
19      at all?

20           MR. PFIRRMAN: No, Your Honor.

21           THE COURT: Do you have any report for the  
22      Court?

23           MR. PFIRRMAN: Do I have any report?

24           THE COURT: Yeah, I understand you're with  
25      Mr. Debbeler's office are you not?

1 MR. PFIRRMAN: Yes, Your Honor.

2 THE COURT: And I got a letter from Mr.  
3 Debbeler and he identifies someone by the name of,  
4 bear with me, Ms. Storey, I apologize, your client I  
5 suppose was First Financial and he identifies Gary  
6 Stevenson?

7 MR. PFIRRMAN: Yes, Your Honor. So our  
8 firm represents a number of creditors that are  
9 impacted by this.

10 THE COURT: Um-hum.

11 MR. PFIRRMAN: One being Cinfed Federal  
12 Credit Union.

13 THE COURT: Um-hum.

14 MR. PFIRRMAN: In the state court  
15 foreclosure action against Celeste Simmons. We also  
16 represent First financial Bank against Margie  
17 Ferguson. It appears based on email addresses, we  
18 were notified of those filings by the same person  
19 and it appears to be Gary Stevenson associated with  
20 EquityMax Network. We don't know if there's any  
21 connection.

22 THE COURT: Um-hum.

23 MR. PFIRRMAN: But we thought it  
24 coincidental that again...

25 THE COURT: All right.

1 MR. PFIRRMAN: . . . we received notice from  
2 the same, same individual.

3                   THE COURT: This is very helpful, I  
4 appreciate it. Have you any contact with EquityMax  
5 Network, are you familiar with this company at all?

6 MR. PFIRRMAN: I am not, Your Honor. We  
7 have spoken with Mr. Stevenson. He called to make  
8 sure sheriff sales were withdrawn after the  
9 bankruptcies were filed.

10 THE COURT: Um-hum. Okay, thank...

11 MR. PFIRRMAN: Or at least, at least in  
12 the Ferguson case we spoke...

13 THE COURT: All right.

14 MR. PFIRRMAN: . . . to him about that.

15 THE COURT: All right, thank you, Mr.  
16 Pfirrman.

17 MR. PFIRRMAN: Thank you, Your Honor.

18 THE COURT: Okay, thank you again, Ms  
19 Storey, for your testimony.

20 EXAMINATION

21 BY THE COURT:

22 Q When, I'm going to follow up a little bit  
23 on Mr. Mann's questions to you. When these papers  
24 were prepared for your daughter's bankruptcy, were  
25 you in Panera Bread? What, what was the setting for

1       that?

2           A     The paperwork was never prepared in Panera  
3     Bread.    The only thing he came to Panera Bread was  
4     to talk to us about money.

5           Q     Okay.

6           A     Or to talk to us about the case in the  
7     very beginning, how he could help us and how he  
8     would take care of the whole situation.

9           Q     Okay, so tell me...

10          A     And...

11          Q     ...where you...excuse me for interrupting  
12     but tell me where these papers were prepared then  
13     for your daughter?

14          A     From my understanding he told us that his  
15     nephew, Joel Harvey was going to prepare all the  
16     paperwork, we didn't have to worry about that.

17          Q     So...

18          A     And he was here.

19          Q     ...how did he get the information that was  
20     put into the papers is what I'm driving at?

21          A     He asked, he asked us for that  
22     information.

23          Q     Okay, so how did that occur? Was it a  
24     question and answer?

25          A     We actually talked...yes, we actually

1       called his nephew Joel on the phone and he asked me  
2       the things that he had to have.

3           Q     Okay.

4           A     And I gave him that information.

5           Q     Okay, so you spent about how long, about  
6       an hour or?

7           A     No.

8           Q     Short time?

9           A     Five minutes, ten minutes on the phone.

10          Q     For...to complete all the papers needed to  
11       file the petition?

12          A     Yes, sir. That's all he asked for, name,  
13       address and the name of the mortgage company. That  
14       was it. That's all he asked me for. And he sent me a  
15       text message that we were supposed to meet a certain  
16       day, a certain time here and I had my daughter come  
17       in.

18          Q     And so there no subsequent follow up  
19       meetings?

20          A     With him?

21          Q     Yes.

22          A     One time when she went to file he  
23       actually...she actually went with him to his office.

24          Q     Um-hum.

25          A     And I followed in my car. She said she

1 didn't have to, she didn't have to ride with me but  
2 she was walking down the street and made a left hand  
3 turn not far from here.

4 Q Oh, I see but you don't know the address  
5 or his office or the company he works for?

6 A No, sir, I do not. I just know it's not  
7 far from here, it's within walking distance because  
8 she walked with him to the office and made a left  
9 hand turn.

10 Q So this maybe a question better put to  
11 your daughter but I'm looking at the petition and it  
12 has a signature and I wondered if this signature  
13 belongs to you or your daughter?

14 A Well, anything that had to be signed on  
15 the...my daughter was here to do the signature. I  
16 never signed anything as far as...

17 Q Okay.

18 A ...bankruptcy. My daughter did that.

19 Q Okay, so the petition is dated September  
20 the 20th of 2016?

21 A Yes, she was here.

22 Q Okay.

23 A That's when he took that money, \$510 and  
24 left, said he had to get back to his office and he  
25 would come back in the afternoon to file it.

1       Because I said, "What happened, you didn't go  
2       upstairs?" He said, "Well, he said he didn't have  
3       time. He just met with me to get the money. He  
4       would go back in the afternoon and take care of it.

5           Q     And how much on that date?

6           A     \$510.

7           Q     So filing fee and his fee?

8           A     Yes, sir.

9           Q     And, okay, well I'll ask your daughter. So  
10      along with that there were a number of other  
11      documents filed on the 20th of September associated  
12      with your daughter's bankruptcy and they were also  
13      signed. So I'm assuming that's again her signature?

14          A     When she met with him he said, she told me  
15      that he had her sign something.

16          Q     Okay.

17          A     That day.

18          Q     Some document.

19          A     And then he said he was going to come back  
20      that afternoon and do it.

21          Q     Okay.

22          A     It was really strange because just a  
23      couple of times before that Lorin was saying that  
24      she would have to go up herself, that he couldn't go  
25      with her.

1 Q Right.

2 A And Joel couldn't. And this time he said  
3 he was going to do it him...that he was going to do  
4 it later that afternoon, it was really strange for  
5 me.

6 Q So you mentioned now in your testimony a  
7 couple of different cases that are filed with the  
8 Court and so Mr. Buckner has been involved in all of  
9 those cases?

10 A Yes, sir. He's the one that said that's  
11 what we should do.

12 Q Okay.

13 A To take care of the situation, to give him  
14 more time.

15 Q And so his advice to you was to file a  
16 series a bankruptcies to keep...

17 A To allow him time to talk to these people  
18 in Chicago, allow him time to talk to some...yeah,  
19 he kept saying something about Chicago.

20 Q Okay, so it looks to me like on  
21 the...there's a form called 1015 and I'll ask your  
22 daughter about it, but there's a 2014 filing,  
23 there's 20, three 2015 filings and two 2016 filings,  
24 does that sound about right for a total of one, two,  
25 three, four, five, six cases?

1           A    Actually a couple, wasn't a couple of  
2 those done with I think it's Minelli or...

3           Q    So you had a...

4           A    We actually had an attorney for...

5           Q    So how many cases has Mr. Buckner helped  
6 you with?

7           A    I want to say four, four or five.

8           Q    Okay, we certainly can look it up, I just  
9 wondered if you knew.

10          A    Yeah, I think it's four or five.

11          Q    All right.

12           MS. RAENESHA STOREY: 2015 on.

13          Q    Okay.

14          A    So I know it started in 2015 in October.

15          Q    All right.

16          A    There forward it was all him.

17          Q    Okay, is there anything else that you  
18 think the Court needs to know with regard to your  
19 involvement with Mr. Buckner?

20          A    Just the fact that he was making me all  
21 these promises and saying that he was going to do  
22 this and he was going to do that and it didn't  
23 happen.

24          Q    And so the promises again, they were that  
25 he was going to help you find a new mortgage company

1       or...

2           A     Get us a loan, he said he would get us a  
3     loan modification since they didn't approve us for  
4     one. He'd get a loan modification or he would find  
5     a way that we would be able to get the payments  
6     where they needed to be so we could afford the  
7     house. Because the house is actually worth less  
8     money now than what we paid for it. We paid  
9     \$327,000 and now the house is only worth like a  
10    hundred and some thousand. So it's just not there.

11          Q     I see.

12         A     And I told him, I said, "That's the reason  
13    we were going to do the loan modification." He  
14    said, "Oh, we'll get it done. Don't worry, we'll  
15    get it done."

16          Q     Anyone else besides Joel Harvey and Mr.  
17    Lorin Buckner did you deal with?

18          A     No, sir.

19           THE COURT: All right. Thank you, Ms.  
20    Storey, you may step down. I appreciate your  
21    testimony.

22           THE WITNESS: Thank you.

23           THE COURT: Mr. Hewitt?

24           MR. HEWITT: Yes, Your Honor, I call to  
25    the stand Raenesha Storey.

1

(Witness duly sworn)

3 COURTROOM DEPUTY: Please have a seat.

4 Speak into the microphone, state and spell your name  
5 for the record.

6 THE WITNESS: Okay. Hi, my name is  
7 Raenesha R. Storey. Raenesha is spelled R-a-e-n-e-  
8 s-h-a. R. And Storey, S-t-o-r-e-y.

9 DIRECT EXAMINATION

10 BY MR. HEWITT:

11                   Q     Okay, thank you, Ms. Storey. And just for  
12 the record, what is your living address?

A 786 Maidstone, M-a-i-d-s-t-o-n-e, Court,  
Cincinnati, Ohio, 4524...45230.

15 Q Okay and just trying to take on where we  
16 left off for the Court, for the record Mr. Lorin  
17 Buckner, how many cases was he involved with?

## A Three cases.

19 Q Would they be the last three cases that  
20 was filed with the Court?

21 A Yes.

Q Okay and so the cases in 2012 and 2014 had nothing to do with him, would that be correct?

24 A Yes.

25 Q Okay, as far as meeting with Mr. Joel

1       Harvey, the question came up as far as an office  
2       location, did you ever arrive at any office location  
3       or meet with either Joel or Mr. Buckner at any  
4       physical location?

5           A     What happened that day was he filed the  
6       Chapter 13 that day at this, at this location.

7           Q     And when you say he, which one?

8           A     Joel.

9           Q     Joel?

10          A     Um-hum.

11          Q     Okay.

12          A     At this location. And after he filed it I  
13       said, "Do we get a copy of that or how does that  
14       work?" Because this is when he first, when he filed  
15       it. And he said, "Oh, yeah, come back, walk with me  
16       to my office where I work and I can give you a copy  
17       of it there." And so he told me to follow him so I  
18       walked with him downtown. And that's where he made  
19       a copy of it and gave it to me. I went...I didn't  
20       go to the office, I went to like a little side room  
21       where he had, like the printing area or something.

22          Q     Do you recall the name of the business  
23       that he went to?

24          A     I'm not sure of the name of the actual  
25       business, no, but I know it was a law firm, I

1           think....I believe it's a law firm.

2           Q     Okay.

3           A     Downtown.

4           Q     If you were to walk there from this  
5     building would you remember where it would be  
6     located?

7           A     Yes, I might remember if I go outside and  
8     start walking I could kind of figure out exactly  
9     where it is.

10          Q     Okay and then as far as the Court brought  
11     up the issue of documents, do you remember signing  
12     any documents for filing in the bankruptcy?

13          A     I do.

14          Q     Okay, so would it be your belief that the  
15     documents filed would contain your signature?

16          A     Yes.

17          Q     Okay and as far as money changing hands,  
18     do you recall the date and the amount of money you  
19     had given to either Mr. Buckner or to Mr. Joel  
20     Harvey?

21          A     The last time we went to court I remember  
22     going, giving money to Joel. The first two times I  
23     went to court it was money to Lorin.

24          Q     Do you remember the amounts that you gave  
25     to either party?

1           A     I know the first time with the court it  
2 was, let's see, the first time I went to Court it  
3 was \$1,200. I remember giving \$1,200 to Joel when I  
4 walked in, I had cash money. And I...

5           Q     Okay.

6           A     ...just passed it over to him. He said  
7 "Thanks." And then he took...he told me, "Do not go  
8 upstairs." He said the Court would not allow him to  
9 go upstairs and file anything, I would have to do it  
10 myself. So he went down and showed me the paper,  
11 the documentation. And I had some legal knowledge  
12 of bankruptcy. And I said, "Where are, where is the  
13 spots where I...the pages where I put my debts at?  
14 You know, here's my actual debt, you know, debts  
15 that I have, do I need to put those on the  
16 bankruptcy?" And he said, "No, don't worry about  
17 that." And I said, "Okay, because usually I thought  
18 when you filed Chapter 13 you put your actual debts  
19 on there, you write them in." He's like, "Oh, we  
20 don't have to do that right now. Don't worry about  
21 that right now." I was like, "Okay." And so we  
22 didn't do anything like that, put any kind of debts  
23 on there, we just proceeded to go through it, it was  
24 like a skeleton file, from what I could look at it,  
25 it was skeleton file. And so he signed it and that

1       was it. And I went upstairs and gave him \$310 the  
2       first time and filed it myself.

3           Q     Okay and then was there a money in which,  
4       was there another case in which you gave money to  
5       Joel or is there an occasion where you gave money to  
6       Mr. Buckner?

7           A     The second time we went down to...the  
8       first, let's see, I'm trying to think, so many  
9       times. The first time was money to Mr. Buckner. The  
10      second time was money to Joel. So the first time  
11      was Buckner, the second time was Joel, third time  
12      Joel.

13          Q     So the first time with Mr. Buckner, do you  
14      recall the amount you gave him?

15          A     I gave him \$310 for the filing fee, he  
16      told me that's what we need for filing. He said,  
17      "Exact amount." And after that it was another \$510  
18      I think it was on top of it.

19          Q     Do you recall when that was, the dates?

20          A     That date was October something, 2015.  
21      The first time for...

22          Q     Okay.

23          A     ...Buckner was October something.

24          Q     Okay, so October 2015?

25          A     Yes.

1           Q     Okay, all right and then the next time you  
2     gave money to Joel and then there was a third  
3     occasion which you gave money?

4           A     To Joel again.

5           Q     Okay, do you recall how much that was?

6           A     The third time I gave money to Joel was  
7     \$310 plus another \$200 that I gave him for his fee  
8     he claimed it was. That was his fee, so.

9           Q     Okay, do you recall the date when that  
10    exchange happened?

11          A     That was in September.

12          Q     Okay.

13          A     The last time.

14          Q     Okay, was that the date of filing,  
15    September?

16          A     Yes, it was the day of filing I gave it to  
17    him. And he said, "Don't worry about going upstairs  
18    this time." He said, "I'll take care of it. I'll  
19    take care of it, you go...you can go ahead and  
20    leave."

21          Q     Okay.

22          A     He said, "Go ahead and take off and then  
23    I'll take care of it later on this afternoon. I  
24    don't have time to do it right now.

25          Q     Okay and when you did meet with both

1 individuals was there any office location that you  
2 would recall that you ever met them at?

3 A No, it was always Panera Bread.

4 Q It was always Panera Bread?

5 A Yes.

6 Q Or outside the...or in a building in the  
7 lobby?

8 A Or this building, um-hum.

9 MR. HEWITT: Okay, no further questions,  
10 Your Honor.

11 THE COURT: Ms. Kindt, I turn to you  
12 again, any questions? Will you have questions, Mr.  
13 DiCesare?

14 MR. DICESARE: Yes, Your Honor.

15 THE COURT: Okay, Mr. Mann?

16 MR. MANN: I may not, Your Honor.

17 THE COURT: All right.

18 MR. MANN: I would defer to the Court in  
19 terms of anything about the preparation.

20 THE COURT: Thank you, sir.

21 CROSS EXAMINATION

22 BY MS. KINDE:

23 Q Good afternoon. I'm Monica Kindt, I'm the  
24 Assistant United States Trustee here in Cincinnati  
25 and I just have a few questions for you today. You,

1       I'm going to build off of what your attorney just  
2       asked you. So the petition that was filed, let's say  
3       the most recent one, you indicated that you signed  
4       those documents?

5           A     I did.

6           Q     Okay, but it sounds like you also paid the  
7       filing fee?

8           A     I did, yes.

9           Q     One of the documents that was filed was an  
10       application to pay the filing fee in installments,  
11       to pay the filing fee, you know, a bit at a time.  
12       Did you sign that document?

13          A     I do not recall signing it, I don't  
14       remember signing the document. I did see that  
15       document signed when they showed it to me when I was  
16       here last.

17          Q     Okay.

18          A     But I'm not sure, I don't remember signing  
19       that one.

20          Q     You, you don't recall if you signed that?

21          A     No.

22          Q     Well, considering you've paid almost  
23       \$5,000 I thought you've probably be surprised about  
24       that document. Did you make the decision about  
25       which bankruptcy chapter to file?

1           A     It was supposed to be a Chapter 13.

2           Q     Okay, but did you decide which bankruptcy  
3     chapter or file or did Mr. Buckner tell you which  
4     chapter you would be filing?

5           A     He suggested a Chapter 13.

6           Q     Okay and did he talk to you about the  
7     differences, what a Chapter 7 and what a Chapter 13  
8     is?

9           A     He didn't really...he kind of told us a  
10    little, a little bit about it. I have some  
11    knowledge myself about it. But he did say like that  
12    a Chapter 13 would save your house. He did mention  
13    that.

14          Q     Um-hum. Now it sounds from the  
15    information that your mother provided that you  
16    provided very little information to Mr. Buckner for  
17    doing the...as you call the skeleton petition. Did  
18    he follow up at all with additional requests for  
19    information about creditors or information about  
20    your assets or anything?

21          A     He did not. He told me that the first  
22    time we filed, he actually took us down again to do  
23    a dismissal. And he said...I said, "Oh, we're  
24    dismissing it?" And he's like, "Yes, we just needed  
25    time." So the first time we filed he actually did a

1 dismissal. So he does...and then the second time it  
2 was another skeleton. And I'm not sure about the  
3 dismissal on that one. I don't remember going down  
4 with him to file a dismissal for it at all. But...

5 Q Okay, during this process was he providing  
6 advice about the foreclosure action that was pending  
7 in state court?

8 A Yes. He was just saying that he was  
9 wanting to get us out of the foreclosure, to work  
10 with the mortgage company to make sure that we could  
11 make lower payments. And also he's saying the  
12 mortgage company owed us money for some reason  
13 because of all the faulty things that was going on  
14 with that. He said that he could help us. No  
15 problem. He went through the same stuff with his  
16 own house. So he said he knew exactly what to do.  
17 Don't worry about it, he'd take care of everything.

18 Q Okay and did you ever provide a credit  
19 report or anything to him...

20 A No.

21 Q ...with a list of creditors?

22 MS. KINTD: Okay, that's all the questions  
23 I have right now. Thank you.

24 THE WITNESS: Okay.

25 THE COURT: Thank you, Ms. Kindt.

1

CROSS EXAMINATION

2

BY MR. DICESARE:

3

Q Hi, Ms. Storey. We've been talking with your mother as you heard about the meetings at the Panera Bread Company in anticipation of filing. And that's where money usually changed hands?

7

A That's where it changed hands, yes.

8

Q Okay, now and then you would come downtown to actually affect getting the petitions filed?

10

A Exactly.

11

Q Where were you when you actually signed the petitions, was it at the downtown meetings?

13

A Yes.

14

Q In the lobby here?

15

A Yes.

16

Q Okay, that was the case in the first filings?

18

A All the filings.

19

Q All the filings. In any of those filings...well, let's go each one of them. The first filing, how long were you given to review the documents?

23

A Not very long. It was more like a few minutes. He'd just hand it over. He's like, "Sign." He put big X's where we needed to sign at,

1 sign. And he said, "Everything is in here. Don't  
2 worry about this. We've got it." And I'm looking at  
3 it and that's why I know this was a skeleton file.  
4 And I said, "Hold on a second. Where, where's the  
5 rest of the documents?" He's like, oh and he kind,  
6 I guess he kind of was shocked that I knew that  
7 something was missing maybe, I don't know. But he  
8 seemed kind of a little frantic there. And he's  
9 like, "Oh, don't worry about that. We'll take care  
10 of that later. Right now we just need to go ahead  
11 and take care of this and the house won't be  
12 affected and get this taken care of."

13 Q Now when people file on their own,  
14 sometimes they type the form, sometimes it's  
15 handwritten. I believe almost all of your forms if  
16 not all of them were typewritten, so either Mr.  
17 Buckner or Mr. Harvey, whoever you're meeting, they  
18 have the documents ready when you met them at the  
19 courthouse location, is that right?

20 A Exactly.

21 Q So there was no preparation of the  
22 documents at the time you signed?

23 A No.

24 Q Okay and did they go over line by line or  
25 did they just hand them to you to sign?

1           A     Just hand over the documents to sign.

2           Q     Did you ask any questions for them to  
3       answer about the documents you were signing?

4           A     Yes, that's when I realized I was saying  
5       it was a skeleton file and I asked about why my  
6       debts were not in there and that's when he told me,  
7       "Don't worry about that."

8           Q     Missing schedules of your creditors,  
9       things you've seen in your prior cases?

10          A     Things I just...yes, yes, I just have some  
11       legal knowledge of that.

12          Q     Okay, but did you go over what was  
13       actually in the documents, not what, not what you  
14       felt was missing but did you actually go over what  
15       was in the documents you...that were prepared for  
16       you or did, did he give you the opportunity to ask  
17       him any questions about, let's use an example,  
18       there's one box that talks about a pleading  
19       preparer, did he go over that with you?

20          A     No.

21          Q     Okay, so he'd just hand it to you, ask you  
22       to sign them and hand them back?

23          A     Right.

24          Q     Okay and in each of these last three  
25       cases, none of them went beyond what you call it the

1 skeletal stage I believe, is that your recollection?

2 A Yes, that's my recollection.

3 Q And you would start getting paperwork  
4 though, notices and other things from the trustee's  
5 office and the Court, separate mailings from  
6 separate entities, right?

7 A Right.

8 Q And did you talk to Mr. Buckner or Mr.  
9 Harvey about anything you were receiving from the  
10 time you filed until the time the Judge actually  
11 issued an order terminating those cases?

12 A Yes. I believe that's when I called and  
13 told my mom about it. I said, "Mom, this  
14 is...doesn't look right. The thing is that we filed  
15 skeleton files this whole time. And he keeps saying  
16 he's going to help us, going to help us, going to  
17 help us." Nothing is going on. I said, "Can you  
18 give him, let's give him a call and see exactly  
19 what's going to happen next?" And that's when he  
20 told us, "Don't worry about." He's, he's, meet at  
21 Panera again and we'll discuss it. And he showed us  
22 some kind of documentation that we have, papers that  
23 he drew up that we're going to file next, the  
24 mortgage company, to make everything, the  
25 foreclosure and everything stop. "Before I'll file

1 anymore bankruptcies" he said.

2 Q Now you talked to your mother and Mr.  
3 Buckner about the things you were getting from the  
4 Court and the trustee, is that right, or just your  
5 mother or...

6 A I talked to my mom about it and my mom and  
7 I called Mr. Buckner on the phone.

8 Q Again?

9 A Yes.

10 Q Okay, understood then. And you did  
11 mention or I think your mother mentioned it really  
12 got your attention when on this last motion to  
13 dismiss the trustee brought to the Court's attention  
14 the repeat filings and we were suggesting that maybe  
15 you shouldn't be filing for a time, that did get  
16 your attention, right?

17 A Oh, very much so.

18 Q Okay and that's what, that's when I  
19 believe your mother recounted a conversation where  
20 Mr. Buckner was still telling you don't worry about  
21 it or what did he say to that?

22 A He said, "Don't worry about it." He's  
23 like, "Actually I've never seen this before, I don't  
24 know what this is." He's like, "I have no clue what  
25 you're talking about. This is absurd." I said,

1        "Well, it's absurd, you're saying it's absurd but I  
2 have this in writing in my mailbox here. I opened  
3 my letter and this is what is what I'm seeing. So  
4 obviously it's not absurd, it's the truth, it's  
5 real." He said, "Well, I have no clue what to do  
6 about that." And I said, "Okay, so what do we do  
7 now?" He said, "Well, I've got to think about it.  
8 I'll call you back." And he hung up the phone. And I  
9 said, "Okay, this has gone far enough. I am so over  
10 the situation." I called Mr. Hewitt and I was like,  
11 "We need to do something about this. Go to court,  
12 do something." Because at this point I don't know  
13 what to do with this guy. I think he's really a  
14 little, you know, crazy.

15       Q Well and I have been asking, he wasn't  
16 giving you advice on the case as you went or  
17 answered your...I mean...strike that, let me start  
18 over. You may have been asking him questions but  
19 was he giving you any answers about the actual case  
20 and what to do in the case?

21       A No, he was just saying he was taking care  
22 of it. We're going through the...there are certain  
23 things you have to do, paperwork, things that need  
24 to be filed. He kept asking for different  
25 documentations about a TIL or something he needed

1       from us. He just kept asking for different things.  
2       And we told him, okay, we were looking for the TIL,  
3       we couldn't find the TIL. He said, "Okay, we'll get  
4       the TIL." He said, "Well, don't worry about it, you  
5       don't need a TIL, I'll do something else." And then  
6       we worked on something else he said. Then he  
7       brought, told us to meet at Panera and brought some  
8       documentation that....I do have those. And said that,  
9       "We're going to do those, file these next once you  
10       find the TIL." And I said, "So do we need a TIL or  
11       don't need a TIL?" And he said, "Oh, well, if you  
12       can't find it we'll do a plan B."

13           Q     You mean, do you mean the truth and  
14       lending statement from when you took your mortgage  
15       out originally?

16           A     Exactly.

17           Q     Okay and you, you and your mother have  
18       both described in detail how much you paid for what  
19       at the beginning of each case, did Mr. Buckner or  
20       Mr. Harvey ever ask you for more money on any case  
21       after it was pending?

22           A     We gave him money several times. Every  
23       time we met him at a Panera there was money out.  
24       So....

25           Q     But I mean, how do I put this, for

1 example, you get, you talked about a lump sum that  
2 you paid him for filing fee and his fee or your  
3 mother did.

4 A Yes.

5 Q Your mother described the filing fee and  
6 the fee he wanted for his own work at the beginning  
7 of the case?

8 A Yes.

9 Q And that case gets filed. Before you  
10 started paying him for the next case was he  
11 collecting money while the case was pending for the  
12 case that was pending?

13 A Well, basically we gave him big lump sums  
14 of money, \$2,500 for the first case...

15 Q Um-hum.

16 A ...even though another case wasn't filed  
17 at that time. Then we gave him another \$1,200. So  
18 we just, we were giving him money through the whole  
19 process. I'm not really...I mean the first case was  
20 filed, we gave him money. The second case was filed,  
21 we gave him more money. We gave him more money the  
22 day, the same day we came to Court to file it as  
23 well.

24 Q Okay.

25 A There was more money being collected. I

1        felt like it was just a money, it was a money  
2        situation the whole entire time, so.

3 MR. DICESARE: Okay, thank you very much.  
4 Thank you, Your Honor.

5 THE COURT: Thank you. Any other parties  
6 wish to inquire?

## EXAMINATION

8 BY THE COURT:

9 Q Okay, let me just ask very quickly, Ms.  
10 Storey, did Mr. Buckner ever represent himself as an  
11 attorney? Did he say he was an attorney, paralegal  
12 or anything...

13                   A     No. He said that actually attorneys can't  
14     do the work that he does because they're afraid of  
15     certain courts or certain foreclosure actions.

16 Q Um-hum.

17                   A     So he said that he does the work he does  
18 because he knows how to do it because he's done it  
19 himself because his own house has been jeopardized  
20 by mortgage companies and he knows exactly what to  
21 do.

22 Q Okay.

23 A To get this done.

24 Q All right, so how do you think Mr. Buckner  
25 got your name?

1           A     He mailed a letter to the house and we  
2     opened up the letter. I'm not sure how, I think  
3     he...oh, how did he get our name?

4           Q     Yes.

5           A     I believe he got our name for the  
6     foreclosure.

7           Q     Um-hum.

8           A     Because, you know, it's public knowledge.

9           Q     Right.

10          A     I believe that's how he got our name.

11          Q     Okay and so he mailed you a letter and  
12     that letter indicated where you could reach him?

13          A     Exactly.

14          Q     I see. When you signed the petition and  
15     the application, all the documents, I'm just looking  
16     at the case that's now before the Court but it  
17     generally applies to all the other cases but let me  
18     just, the three other cases that Mr. Buckner helped  
19     with. For this case though I have in purview here  
20     you filed a skeletal petition as you indicated.

21          A     Yes.

22          Q     You also filed a statement of Social  
23     Security Number, a statement under form 110, 1015...

24          A     Um-hum.

25          Q     ...which lists your other bankruptcies, do

1       you remember signing that?

2           A     I believe, yes, I do remember signing  
3     that.

4           Q     And a verification of the creditor  
5     maintenance, matrix, you've asked about that because  
6     it only lists one creditor and you want...

7           A     Yes.

8           Q     Okay and the application to file the fees  
9     in installments?

10          A     Yes. I was...

11          Q     So did, did you have those papers or did  
12     Mr. Buckner generate those papers and just told you  
13     to sign them?

14          A     Mr. Buckner generated the paperwork and  
15     asked me to sign them.

16          Q     Okay and so when he presented those to you  
17     downstairs I'm assuming?

18          A     Yes.

19          Q     They were already typed and he had the  
20     information in them?

21          A     Exactly.

22          Q     And you simply signed. Okay and so you,  
23     you have emails as well in exchange between you and  
24     Mr. Buckner?

25          A     I have one email that was sent to me by

1       Joel Harvey.

2           Q     Um-hum.

3           A     I do have one email with the last filing  
4     that we did. He sent it directly to my email  
5     address.

6           Q     Is that a private email address or is that  
7     associated with the business, can you tell?

8           A     It looks like a private one.

9           Q     Okay.

10          A     It looks like one, yeah.

11          Q     Okay.

12          A     I can double-check if you like.

13           THE COURT: All right. Mr. Hewitt, you  
14     did have some copies of email, emails?

15           MR. HEWITT: Yes, yeah.

16           THE COURT: You referred to them, I don't  
17     know that we ever marked those as exhibits.

18           MR. HEWITT: We did not mark them as  
19     exhibits but I guess we could mark them as exhibits.  
20     I don't know how you want to phrase it as far as my  
21     clients being either defendants or petitioners. But  
22     we could turn them over to the Court and be marked  
23     and admit them into evidence if it so pleases the  
24     Court.

25           THE COURT: Okay, right. Let's mark them

1 just as Debtor's Exhibit A.

2 MR. HEWITT: Okay.

3 THE COURT: And can we retain these copies  
4 or do you need copies?

5 MR. HEWITT: Yes, I think they, I think  
6 they're able to print them out from their own  
7 computer, so I don't think it's a problem, would  
8 that be correct?

9 THE COURT: Ms. Francis?

10 THE WITNESS: That's fine, I don't have...

11 MR. HEWITT: Okay.

12 THE WITNESS: ...a problem with leaving  
13 them.

14 THE COURT: Would you get those? We'll  
15 mark these as Debtor's Exhibit A. Let me just see  
16 that.

17 Q So I'm looking at the emails and I guess  
18 LKBCoach@gmail.com, is that familiar to you, is that  
19 Mr. Buckner's address?

20 MS. NETTER-STOREY: Yes, yes, it is.

21 THE COURT: Okay.

22 A I, I...he didn't email, Mr. Buckner didn't  
23 email me, only Joel.

24 Q All right.

25 A So I think my mom says yes, so that's

1       probably right.

2           Q     All right and yours was only conversations  
3     on the phone and the one email between you and Mr... .

4           A     Joel.

5           Q     ...Stevenson is it or Joel Harvey, Mr.  
6     Harvey?

7           A     Yes.

8           Q     Okay, is there...oh, here it is.

9           Joel.Harvey@gmail.com?

10          A     Yes.

11          Q     Who or what is this Storey's Law?

12          A     That is my email address.

13          Q     Oh, I'm sorry.

14          A     RStoreylaw@gmail.com.

15          Q     Okay, okay, thank you very much. I don't  
16     know that I have any more questions for you at this  
17     point, Ms. Storey. I appreciate your testimony. Is  
18     there anything else you want to share with the Court  
19     about what's transpired here?

20          A     I'm very in disarray of the situation.  
21     It's just really disheartening that this happened.  
22     Wanting help from someone and this happens as a  
23     result of it, so.

24          Q     Um-hum.

25          A     You know, I'm sorry to file so many

1       bankruptcies that went nowhere. I just didn't know  
2       that was going to happen either.

3           Q     Right.

4           A     So it just makes me look like I'm the bad  
5       person in doing all the filings when the reality was  
6       it wasn't even me filing it. So it's just really a  
7       situation that I wish we weren't in, so.

8           Q     Perfectly understandable. Okay, thank  
9       you, Ms. Storey, you may step down.

10          A     Thank you.

11           THE COURT: Okay, so back to the show  
12       cause proceedings. Mr. Buckner did not appear  
13       today. As I indicated earlier he did file a motion  
14       asking for a 60 or 90 day continuance, I can't  
15       recall which and the Court denied that. Obviously,  
16       Ms. Kindt this gives the Court great pause for  
17       concern when we've heard the evidence we did today.  
18       I was looking to see if anything could be done in  
19       the interim. It looks like § 110 gives this Court  
20       authority to enjoin activity once there's been an  
21       action filed by the United States Trustee or another  
22       interested parties. I can't remember, it listed a  
23       number of persons. But it would seem to me given  
24       the nature of what we have heard from Ms. Storey and  
25       what this Court is aware of, based upon subsequent

1 cases that have been filed. I guess one was filed  
2 just yesterday by an associate of Mr. Buckner, this  
3 Mr. Stevenson that Mr. Pfirrman identified filing  
4 another bankruptcy case. He somehow appears to be  
5 affiliated with Mr. Buckner or any company that he's  
6 associated with. It would be my intention pursuant  
7 to this Court's injunctive power given under §  
8 105(a) to issue an order, apparently he filed three  
9 cases yesterday, enjoining Mr. Buckner or any  
10 associates or companies that he's associated with  
11 from filing any more bankruptcy cases on behalf of  
12 debtors in this Court until such time as you're able  
13 to gather whatever information you need to prosecute  
14 under § 110. So the Court will issue an order  
15 forthwith today or tomorrow enjoining Mr. Buckner  
16 and Mr. Stevenson and any other associates of theirs  
17 from continuing to file matters. Obviously that  
18 injunctive order will only be as good as it is  
19 observed given Mr. Buckner's lack of presence here  
20 today, I'm not sure that he is going to be inclined  
21 to follow the Court's order but we will at some  
22 point have his attention I assure you. If it's not  
23 through your office certainly through the Federal  
24 Bureau of Investigation seeing if we can enjoin his  
25 activity because it is causing quite a stir and

1       hardship on our community.

2                 Okay, there's nothing further from the  
3 Court. I will await your action then, Ms. Kindt and  
4 hopefully we'll get this matter squarely before us  
5 and we can have Mr. Buckner before the Court to  
6 express our discontent with his activity.

7                 What is this MTD? What does that mean?

8                 MR. DICESARE: Your Honor?

9                 THE COURT: Okay.

10                MR. DICESARE: Yes, Your Honor, as to the  
11 status of the cases in chief on these, Mr. Brantley  
12 and Ms. Bibbs have been dismissed. Ms. Simmons has  
13 an uncontested dismissal motion pending and we've  
14 uploaded a proposed order this week. But I believe  
15 we did table the motion to dismiss on Ms. Storey's  
16 case to see how things turned out. And again the  
17 trustee would like to withdraw her request for  
18 prejudice but the question remains whether or not  
19 Mr. Hewitt and Ms. Storey believe she should  
20 prosecute this case or allow it to terminate and  
21 just refile if Mr. Hewitt or another competent  
22 bankruptcy counsel wants to go forward.

23                THE COURT: What's your pleasure, Mr.  
24 Hewitt?

25                MR. HEWITT: Talking to my client, Your

1 Honor, it's my understanding that they are inclined  
2 to dismiss the petition because I think they have  
3 found a lender to which they wish to work with and  
4 go through a loan modification, would that be  
5 correct?

6 MS. STOREY: Yes. I just want to dismiss  
7 the filing for two years, whatever the thing was.

8 MR. HEWITT: Yeah, that would be from the  
9 trustee. But as far as your intent, you don't still  
10 plan to go through with the 13... .

11 MS. STOREY: No.

12 MR. HEWITT: ...petition, correct?

13 MS. STOREY: I do not.

14 MR. HEWITT: So we'll probably most likely  
15 withdraw or voluntarily dismiss the petition but  
16 we're also hoping for a ruling that if the trustee  
17 does dismiss, they brought up the issue to dismiss  
18 without prejudice. I believe two year... .

19 THE COURT: I think he's withdrawn, I  
20 think he's withdrawn that request.

21 MR. HEWITT: Okay.

22 THE COURT: Why don't you get together  
23 with Mr. DiCesare and prepare an order and we'll  
24 file, enter that order dismissing the case and  
25 removing any prejudice under 109(g) .

1                   MR. HEWITT: And one last thing, Your  
2 Honor, just for the benefit of my client, who would  
3 they, is it going to be through the Court as far as  
4 any possible reimbursement for the money that they  
5 lost?

6                   THE COURT: Right, if you look at § 110,  
7 Mr. Hewitt, I'm not sure, I think your client can  
8 also file an action under 110.

9                   MR. HEWITT: Okay.

10                  THE COURT: There is damages, there are  
11 damages available for debtors injured by petitioner  
12 preparers who've...

13                  MR. HEWITT: Okay.

14                  THE COURT: ...violated the statute.

15                  There are penalties associated with it as well. But  
16 clearly there is a provision for damages to a debtor  
17 so there is maybe an avenue for some recovery. I  
18 will advise though, Mr. Buckner has filed his own  
19 Chapter 13 bankruptcy which is pending before this  
20 Court. So the question of collectability is an open  
21 one.

22                  MR. HEWITT: I understand. Thank you,  
23 Your Honor.

24                  THE COURT: But at least you can perhaps  
25 obtain a judgment from the Court and garnish wages

1       or any other assets subsequent to Mr. Buckner's exit  
2       from the bankruptcy court if that's what transpires.

3                    MR. HEWITT: Okay.

4                    THE COURT: All right. Mr. DiCesare,  
5       anything further?

6                    MR. DICESARE: No, Your Honor. Thank you.

7                    THE COURT: Ms. Kindt?

8                    MS. KINTDT: Your Honor, just a, just a  
9       purely administrative matter.

10                  THE COURT: Yes.

11                  MS. KINTDT: Since a lot of these cases  
12       have been dismissed I just wanted to make sure that  
13       they would be kept administratively open so that...

14                  THE COURT: Yes.

15                  MS. KINTDT: Thank you.

16                  THE COURT: Yes. They're going to be  
17       dismissed but they will not close.

18                  MS. KINTDT: Thank you very much.

19                  THE COURT: So you can certainly still  
20       file whatever is needed to prosecute those actions  
21       under 110.

22                  MS. KINTDT: Thanks.

23                  THE COURT: Thank you. We're adjourned.

24                  COURTROOM DEPUTY: Please rise. Court is  
25       adjourned.

1

2 (Off the record)

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1

C E R T I F I C A T E

2

STATE OF OHIO

3

SS

4

COUNTY OF CLERMONT

5

6                   I, Cindy Elaine Meguire, transcriptionist  
7 and notary public, do hereby certify that the  
8 foregoing was transcribed from an audio recording by  
9 me, and that the same is true and correct in all  
10 respects as transcribed from said audio recording.

11                  I further certify that I am not counsel,  
12 attorney, relative or employee of any of the parties  
13 hereto, or in any way interested in the within  
14 action.

15                  IN WITNESS WHEREOF, I have hereunto set my  
16 hand on this 19th day of December, 2016.

17

18

19

20

21 My Commission Expires:

Cindy Elaine Meguire

22 May 3, 2019

Notary Public-State of Ohio

23

24